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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
VINCENT PORTER,  
  
Defendant.

CASE NO. 1:22-CR-00113-JLT-SKO

JOINT STATUS REPORT AND STIPULATION  
REGARDING EXCLUDABLE TIME PERIODS  
UNDER SPEEDY TRIAL ACT; ORDER

DATE: May 3, 2023  
TIME: 1:00 p.m.  
COURT: Hon. Sheila K. Oberto

This case is set for status conference May 3, 2023. As set forth below, the parties now move, by stipulation, to continue the status conference to August 30, 2023, and to exclude the time period between May 3, 2023 and August 30, 2023 under the Speedy Trial Act.

**STIPULATION**

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on May 3, 2023.
2. By this stipulation, defendant now moves to continue the status conference until August 30, 2023, and to exclude time between May 3, 2023, and August 30, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
  - a) The government has represented that the discovery associated with this case is voluminous and includes many thousands of pages of documents, financial records, witness

1 interviews, investigative reports, and other evidence. This is a large scale financial fraud case.  
2 All of this discovery has been either produced directly to counsel and/or made available for  
3 inspection and copying. In April 2023, Counsel for defendant, the government, and the case  
4 agent met to review discovery. The government recently provided Counsel for defendant some  
5 “hot documents” which it believes are certain of its key pieces of evidence in the case, which  
6 Counsel for defendant needs additional time to review.

7 b) Counsel for defendant desires additional time to consult with his/her client,  
8 review the charges, conduct investigation and research, review discovery and discuss potential  
9 resolution of the case. The COVID-19 Pandemic continues to make certain tasks, such as client  
10 meetings, and certain aspects of case investigation more difficult and more time consuming.

11 c) Counsel for defendant believes that failure to grant the above-requested  
12 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
13 into account the exercise of due diligence.

14 d) The government does not object to the continuance.

15 e) Based on the above-stated findings, the ends of justice served by continuing the  
16 case as requested outweigh the interest of the public and the defendant in a trial within the  
17 original date prescribed by the Speedy Trial Act.

18 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
19 et seq., within which trial must commence, the time period of May 3, 2023 to August 30, 2023,  
20 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
21 because it results from a continuance granted by the Court at defendant’s request on the basis of  
22 the Court’s finding that the ends of justice served by taking such action outweigh the best interest  
23 of the public and the defendant in a speedy trial.

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28 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: April 27, 2023

PHILLIP A. TALBERT  
United States Attorney

/s/ JEFFREY A. SPIVAK  
JEFFREY A. SPIVAK  
Assistant United States Attorney

Dated: April 27, 2023

HEATHER E. WILLIAMS  
Federal Defender

/s/ Christina Corcoran  
Christina Corcoran  
Assistant Federal Defender  
Counsel for Defendant

**ORDER**

IT IS SO ORDERED.

DATED: 4/27/2023

Sheila K. Oberto  
HON. SHEILA K. OBERTO  
UNITED STATES MAGISTRATE JUDGE